



Federal Register

**Thursday,
November 30, 2000**

Part LXIII

Surface Transportation Board

Semiannual Regulatory Agenda

SURFACE TRANSPORTATION BOARD (STB)

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Ch. X

STB Ex Parte No. 536 (Sub-No. 9)

Semiannual Regulatory Agenda

AGENCY: Surface Transportation Board.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Surface Transportation Board, in accordance with the requirements of the Regulatory Flexibility Act, is publishing a semiannual agenda of: (1) current and projected rulemakings; and (2) existing regulations being reviewed to determine whether to propose modifications through rulemaking. Listed below are the regulatory actions to be developed or reviewed during the next 12 months. Following each rule identified is a brief description of the rule, including its purpose and legal basis.

FOR FURTHER INFORMATION CONTACT: A contact person is identified for each of the rules listed below.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* (RFA), sets forth a number of requirements for agency rulemaking. Among other things, the RFA requires that, during the months of April and October of each year, each agency shall

publish in the **Federal Register** a regulatory flexibility agenda, which shall contain:

(1) A brief description of the subject area of any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities;

(2) A summary of the nature of any such rule under consideration for each subject area listed in the agenda pursuant to paragraph (1), the objectives and legal basis for the issuance of the rule, and an approximate schedule for completing action on any rule for which the agency has issued a general notice of proposed rulemaking; and

(3) The name and telephone number of an agency official knowledgeable concerning the items listed in paragraph (1).

Accordingly, a list of proceedings appears below containing information about subject areas in which the Board is currently conducting rulemaking proceedings or may institute such proceedings in the near future. It also contains information about existing regulations being reviewed to determine whether to propose modifications through rulemaking.

The agenda represents the Board's best estimate of rules that will be considered over the next 12 months.

However, section 602(d) of the RFA, 5 U.S.C. 602(d), provides: "Nothing in [section 602] precludes an agency from considering or acting on any matter not included in a regulatory flexibility agenda or requires an agency to consider or act on any matter listed in such agenda."

The Board is publishing its October 2000 regulatory flexibility agenda as part of the **Unified Agenda of Federal Regulatory and Deregulatory Actions** (Unified Agenda). The Unified Agenda is coordinated by the Office of Management and Budget (OMB), pursuant to Executive Order 12866. The Board is participating in the program voluntarily to assist OMB.

For this edition of the Unified Agenda, the most important significant regulatory actions are included in **The Regulatory Plan**, which appears in part II of this issue of the **Federal Register**. The Surface Transportation Board's Regulatory Plan entry is listed in the table of contents below and is denoted by a bracketed bold reference that directs the reader to the appropriate sequence number in part II.

Decided: August 14, 2000.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

Vernon A. Williams,

Secretary.

Surface Transportation Board—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4870	Major Rail Consolidation Procedures, STB Ex Parte No. 582 (Sub-No. 1) (Reg Plan Seq No. 173)	2140-AA56

References in boldface appear in the **Regulatory Plan** in Part II of this issue of the **Federal Register**.

Surface Transportation Board—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4871	Safe Implementation of Board-Approved Transactions, STB Ex Parte No. 574	2140-AA50

Surface Transportation Board—Completed Actions

Sequence Number	Title	Regulation Identification Number
4872	Modification of the Carload Waybill Sample and Public Use File Regulations, STB Ex Parte No. 385 (Sub-No. 4)	2140-AA55

Surface Transportation Board (STB)

Proposed Rule Stage

**4870. • MAJOR RAIL
CONSOLIDATION PROCEDURES, STB
EX PARTE NO. 582 (SUB-NO. 1)**

Regulatory Plan: This entry is Seq. No. 173 in Part II of this issue of the Federal Register.

RIN: 2140-AA56

Surface Transportation Board (STB)

Long-Term Actions

**4871. SAFE IMPLEMENTATION OF
BOARD-APPROVED TRANSACTIONS,
STB EX PARTE NO. 574**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 553; 5 USC 559; 49 USC 721; 49 USC 10901; 49 USC 10902; 49 USC 11323; 49 USC 11324; 49 USC 11325; 42 USC 4332

CFR Citation: 49 CFR 244; 49 CFR 1106

Legal Deadline: None

Abstract: The Surface Transportation Board and the Federal Railroad Administration (FRA) have proposed complementary regulations establishing procedures for the development and implementation of safety integration

plans (SIPs) by railroads proposing to engage in certain merger, consolidation, or acquisition of control transactions with another railroad. Under the proposed rules, railroads seeking to consummate a Board-covered transaction would be required to file a written document with the FRA and the Board explaining how each step in implementing a contemplated transaction would be performed safely.

Timetable:

Action	Date	FR Cite
ANPRM	12/04/97	62 FR 64193
ANPRM Comment Period End	02/19/98	
NPRM	12/31/98	63 FR 72225

Action	Date	FR Cite
NPRM Comment Period End	03/01/99	
Internal Review of Comments	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Evelyn Kitay, Attorney, Surface Transportation Board, 1925 K Street NW., Washington, DC 20423-0001
Phone: 202 565-1563
TDD Phone: 800 877-8339
Fax: 202 565-9001
Email: kitaye@stb.dot.gov
RIN: 2140-AA50

Surface Transportation Board (STB)

Completed Actions

**4872. MODIFICATION OF THE
CARLOAD WAYBILL SAMPLE AND
PUBLIC USE FILE REGULATIONS,
STB EX PARTE NO. 385 (SUB-NO. 4)**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 721; 49 USC 10707; 49 USC 11144; 49 USC 11145

CFR Citation: 49 CFR 1244

Legal Deadline: None

Abstract: The Surface Transportation Board has modified its regulations governing reporting by railroads of information on rail movements for inclusion in the annual rail carload waybill sample. The changes require

identification of contract carriage movements and limit the period the waybill sample is confidential to 30 years.

Timetable:

Action	Date	FR Cite
ANPRM	05/17/99	64 FR 26773
ANPRM Comment Period End	07/01/99	
NPRM	01/06/00	65 FR 732
NPRM Comment Period End	02/22/00	
Final Action	06/16/00	65 FR 37710
Final Action Effective	01/01/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Paul A. Aguiar, Surface Transportation Board, 1925 K Street NW., Washington, DC 20423-0001
Phone: 202 565-1527
TDD Phone: 800 877-8339
Fax: 202 565-9000
Email: aguiarp@stb.dot.gov

RIN: 2140-AA55

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